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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,407	11/03/2003	Michio Kumazaki		3447

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EXAMINER

TILL, TERRENCE R

ART UNIT PAPER NUMBER

1744

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/698,407	<b>Applicant(s)</b> KUMAZAKI, MICHIO	
	<b>Examiner</b> Terrence R. Till	<b>Art Unit</b> 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sham (US-5,386,612).
3. The patent to Sham discloses (fig. 13) a cleaner having a cleaning-medium-containing section 344 for containing a cleaning medium; a medium-transmitting section 370 for transmitting the cleaning medium; a heating section 350 for receiving and heating the cleaning medium transmitted from the medium-transmitting section so as to generate vapor; a vapor-jetting section 82 for jetting the vapor toward a portion to be cleaned; and a suction section 232 disposed in the vicinity of the vapor- jetting section in such a manner as to face the portion to be cleaned, and adapted to draw in dirt loosened on the portion to be cleaned. The patent to Sham further discloses a vacuum generator 322,324 for generating a vacuum; and the cleaner draws in the dirt via the suction section by operating the vacuum generator, the suction section is connected to a dust box 318 removably attached to a body of the cleaner 20 (latch), and draws in the dirt through drawing in air; and the drawn-in air is led into a space within the dust.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sham (US-5,386,612) in view of Wheeler et al. (US-6,839,933)

7. The patent to Sham discloses the claimed invention except that Sham uses a deflector to separate the liquid from the air instead of a filtering device. The patent to Wheeler shows that separating the liquid from the air using a filtering device 36 is an equivalent structure known in the art. Therefore, because these two types of dirty liquid air separators were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute the deflector of Sham for the filtering device of Wheeler et al.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sham (US-5,386,612) in view of Parisi (US-4,369,544).

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9. The patent to Sham discloses all the recited features except a discharge port located in the vicinity of the vapor-jetting section and adapted to discharge a drying medium toward the portion to be cleaned. The patent to Parisi discloses a vacuum/steam cleaning machine 10 that has a discharge port 39 and adapted to discharge a drying medium toward the portion to be cleaned (see column lines 55-68). Therefore, It would have been obvious to a person skilled in the art at the time the invention was made to provide a Sham with discharge port located in the vicinity of the vapor-jetting section and adapted to discharge a drying medium toward the portion to be cleaned in view of the teaching of Parisi in order to combine the washing and drying of a floor (see column 1, lines 45-65).

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sham (US-5,386,612) in view of Sham (US-5,819,364).

11. The patent to Sham '612 discloses all the recited features except a handle is removably attached to a body of the cleaner in order to allow the cleaner to be used in a manner similar to mopping. The patent to Sham '364 discloses a handle 10,14,16 that is removably attached to a body of the cleaner in order to allow the cleaner to be used in a manner similar to mopping. Therefore, It would have been obvious to a person skilled in the art at the time the invention was made to provide Sham '612 with a handle is removably attached to a body of the cleaner in view of the teaching of Sham '364 in order to allow the cleaner to be used in a manner similar to mopping. (see Sham '364 column 2, lines 20-25).

***Allowable Subject Matter***

12. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

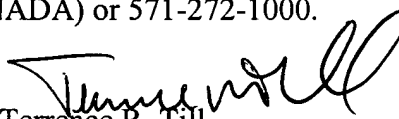
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Sham et al. "421, Chae et al., European patent to Prudenziati, Barazza et al., Tsen, Hsieh, Wang and Lee et al. disclose the current state of the art in vacuum/steam cleaners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Till whose telephone number is (571) 272-1280. The examiner can normally be reached on Mon. through Thurs. and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys P. Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Terrence R. Till  
Primary Examiner  
Art Unit 1744

trt